

**U.S. District Court
DISTRICT OF KANSAS (Kansas City)
CIVIL DOCKET FOR CASE #: 2:16-cv-02831-JAR-JPO**

Scott, Sr. v. Cowley Distributing, Inc.
Assigned to: District Judge Julie A. Robinson
Referred to: Magistrate Judge James P. O'Hara
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 12/27/2016
Date Terminated: 09/21/2017
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

James Scott, Sr.

represented by **James Scott, Sr.**
P.O. Box 11543
Kansas City, MO 64138
Email:
PRO SE
Bar Number:
Bar Status:

V.

Defendant

Cowley Distributing, Inc.

represented by **Arturo Alberto Hernandez , III**
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Date Filed	#	Docket Text
12/23/2016	<u>1</u>	COMPLAINT (No Summons Issued) with trial location of Kansas City, filed by James Scott, Sr.. (Attachments: # <u>1</u> Exhibit)(cv) (Entered: 12/27/2016)
12/23/2016	<u>2</u>	CIVIL COVER SHEET re <u>1</u> Complaint by Plaintiff James Scott, Sr.. (cv) (Entered: 12/27/2016)
12/23/2016	<u>1</u>	FILING FEE PAID: in the amount of \$ 400, receipt number K4631053345 (cv) (Entered: 12/27/2016)
03/15/2017	<u>1</u>	SUMMONS ISSUED as to Cowley Distributing, Inc. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (cv) (Entered: 03/15/2017)
03/15/2017	<u>3</u>	NOTICE to the Court regarding pro se status by James Scott, Sr. (kao) (Entered: 03/16/2017)
03/24/2017	<u>4</u>	SUMMONS RETURNED EXECUTED -- Certified Mail by James Scott, Sr. upon Cowley Distributing, Inc. served on 3/20/2017, answer due 4/10/2017. (hw) (Entered: 03/27/2017)
03/30/2017	<u>5</u>	ENTRY OF APPEARANCE by Arturo Alberto Hernandez, III on behalf of Cowley Distributing, Inc. (Hernandez, Arturo) (Entered: 03/30/2017)
03/30/2017	<u>6</u>	MOTION for Extension of Time to File Answer <i>or otherwise file responsive pleadings</i> by Defendant Cowley Distributing, Inc. (referred to Magistrate Judge James P. O'Hara) (Hernandez, Arturo) (Entered: 03/30/2017)
03/30/2017	<u>7</u>	ORDER granting <u>6</u> motion for extension of time until May 1, 2017, to answer or otherwise respond to the complaint. Although the motion states defendant has not sought the views of the pro se plaintiff on the motion, the court finds good cause for the extension and no prejudice to plaintiff from the extension. This is particularly true given that plaintiff has informed the court that he still is in the process of retaining counsel and does not plan "to move forward on [his] own." (ECF No. 3). This extension will effectively give plaintiff more time to retain counsel. Signed by Magistrate Judge James P. O'Hara on 3/30/2017. Mailed to pro se party by regular mail.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (amh) (Entered: 03/30/2017)
03/30/2017	<u>8</u>	ENTRY OF APPEARANCE by Christopher A. Brackman on behalf of Cowley Distributing, Inc. (Brackman, Christopher) (Entered: 03/30/2017)
05/01/2017	<u>9</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>and for Lack of Subject Matter Jurisdiction</i> by Defendant Cowley Distributing, Inc. (Hernandez, Arturo) (Entered: 05/01/2017)
05/01/2017	<u>10</u>	MEMORANDUM IN SUPPORT of <u>9</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>and for Lack of Subject Matter Jurisdiction</i> by Defendant Cowley Distributing, Inc.(Hernandez, Arturo) (Entered: 05/01/2017)
05/22/2017	<u>11</u>	PLAINTIFF'S SUGGESTIONS IN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS, AND PLAINTIFF'S MOTION TO FILE FIRST AMENDED COMPLAINT re <u>1</u> Complaint by Plaintiff James Scott, Sr. (Attachments: # <u>1</u> Exhibit A)(cv) (Entered: 05/23/2017)
05/25/2017	<u>1</u>	MOTION REFERRAL to Magistrate Judge REMOVED as to: <u>11</u> MOTION to Amend Complaint re <u>1</u> Complaint. The motion will be resolved by the District Judge.(srj) (Entered: 05/25/2017)
06/06/2017	<u>12</u>	REPLY TO RESPONSE TO MOTION by Defendant Cowley Distributing, Inc. re: <u>9</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>and for Lack of Subject Matter Jurisdiction</i> , <u>11</u> MOTION to Amend Complaint re <u>1</u> Complaint (Attachments: # <u>1</u> Exhibit A)(Hernandez, Arturo) (Entered: 06/06/2017)

06/06/2017	<u>13</u>	MOTION to Dismiss for Lack of Jurisdiction <i>or In the Alternative Motion to Transfer Venue</i> by Defendant Cowley Distributing, Inc. (Attachments: # <u>1</u> Affidavit Affidavit of John A. Cowley)(Hernandez, Arturo) (Entered: 06/06/2017)
06/06/2017	<u>14</u>	MEMORANDUM IN SUPPORT of <u>13</u> MOTION to Dismiss for Lack of Jurisdiction <i>or In the Alternative Motion to Transfer Venue</i> by Defendant Cowley Distributing, Inc. (Attachments: # <u>1</u> Affidavit Affidavit of John A. Cowley)(Hernandez, Arturo) (Entered: 06/06/2017)
06/23/2017	<u>15</u>	PLAINTIFF'S RESPONSE TO DEFENDANT'S REPLY TO PLAINTIFF'S SUGGESTIONS IN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS to <u>9</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>and for Lack of Subject Matter Jurisdiction</i> , <u>11</u> MOTION to Amend Complaint re <u>1</u> Complaint by Plaintiff James Scott, Sr.. (ydm) (Entered: 06/23/2017)
07/06/2017	<u>16</u>	MOTION to Strike <u>15</u> Response, <i>PLAINTIFF'S RESPONSE TO DEFENDANT'S REPLY TO PLAINTIFF'S SUGGESTIONS IN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS</i> by Defendant Cowley Distributing, Inc. (Hernandez, Arturo) (Entered: 07/06/2017)
07/07/2017	<u>1</u>	MOTION REFERRAL to Magistrate Judge REMOVED as to: <u>16</u> MOTION to Strike <u>15</u> Response, <i>PLAINTIFF'S RESPONSE TO DEFENDANT'S REPLY TO PLAINTIFF'S SUGGESTIONS IN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS. The motion will be resolved by the District Judge.(ss)</i> (Entered: 07/07/2017)
07/19/2017	<u>17</u>	PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION TO STRIKE by Plaintiff James Scott, Sr. re <u>16</u> MOTION to Strike <u>15</u> Response, <i>PLAINTIFF'S RESPONSE TO DEFENDANT'S REPLY TO PLAINTIFF'S SUGGESTIONS IN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS</i> (cv) (Entered: 07/19/2017)
08/30/2017	<u>18</u>	ORDER TO SHOW CAUSE. Show Cause Response due by 9/11/2017. Signed by Chief District Judge Julie A Robinson on 08/30/2017.Mailed to pro se party James Scott, Sr. by certified and regular mail ; Certified Tracking Number: 7012 3460 0000 8262 7341.(cv) (Entered: 08/30/2017)
09/07/2017	<u>19</u>	CERTIFIED MAIL RECEIPT returned re <u>18</u> Order to Show Cause, addressed to James Scott, Sr. (cv) (Entered: 09/07/2017)
09/11/2017	<u>20</u>	PLAINTIFF'S RESPONSE re <u>18</u> Order to Show Cause, by Plaintiff James Scott, Sr. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(cv) (Entered: 09/12/2017)
09/20/2017	<u>21</u>	MEMORANDUM AND ORDER finding as moot <u>9</u> Motion to Dismiss for Failure to State a Claim; granting <u>11</u> Motion to Amend Complaint.; granting in part and denying in part <u>13</u> Motion to Dismiss for Lack of Jurisdiction;The motion to dismiss is denied and the motion to transfer is granted. This case is hereby transferred to the United States District Court for the Western District of Missouri, Central Division; denying <u>16</u> Motion to Strike. Signed by Chief District Judge Julie A Robinson on 9/20/2017.Mailed to pro se party James Scott Sr by certified mail ; Certified Tracking Number: 7012346000082626573 (ydm) (Entered: 09/21/2017)
09/21/2017	<u>1</u>	Case transferred to District of Western District of Missouri, Central Division.(ydm) (Entered: 09/21/2017)